

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

ROSALIE GREENE,

Plaintiff,

v.

DEPUY ORTHOPAEDIC, et al.,

Defendants.

Case No. 1:21-cv-00987-ADA-SAB

ORDER DISCHARGING ORDER TO SHOW  
CAUSE AND DIRECTING CLERK OF COURT  
TO CLOSE CASE AND ADJUST THE DOCKET  
TO REFLECT VOLUNTARY DISMISSAL  
PURSUANT TO RULE 41(a) OF THE FEDERAL  
RULES OF CIVIL PROCEDURE

(ECF Nos. 28, 29, 30, 31)

On September 28, 2022, the Court issued an order to show cause why monetary sanctions should not issue for the failure to file dispositional documents in compliance with the Court's September 2, 2022 order. (ECF No. 28.) Later the same day, the parties submitted a joint response to the order to show cause and a stipulation for dismissal of the action. (ECF Nos. 29, 31.) In response to the order to show cause, the parties proffer that, even though the joint stipulation for dismissal was fully executed by September 9, 2022, the parties inadvertently failed to file the stipulation due to some confusion over which firm would file it. (ECF No. 31.) The Court is satisfied with this response and shall discharge the order to show cause.

Further, in light of the stipulation for dismissal (ECF No. 29), this action has been terminated, Fed. R. Civ. P. 41(a)(1)(A)(ii); Wilson v. City of San Jose, 111 F.3d 688, 692 (9th

1 Cir. 1997), and has been dismissed with prejudice, with each side to bear their own costs.

2 Accordingly, IS IT HEREBY ORDERED that the September 28, 2022 order to show  
3 cause (ECF No. 28) is DISCHARGED. Furthermore, the Clerk of the Court is HEREBY  
4 DIRECTED to close the case and adjust the docket to reflect voluntary dismissal of this action  
5 pursuant to Rule 41(a).

6  
7 IT IS SO ORDERED.

8 Dated: September 29, 2022

  
UNITED STATES MAGISTRATE JUDGE